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~~CONFIDENTIAL~~

6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION
10

11 UNITED STATES OF AMERICA,

Case No.: CR 04-20107 RMW

12 Plaintiff,

13 v.

**STIPULATION TO CONTINUE
HEARING AND TO RELEASE PSR TO
COUNSEL; [] ORDER
CONTINUING HEARING AND
ORDERING RELEASE OF PSR TO
COUNSEL**

14 TIMOTHY RONALD OBERT,

15 Defendant.
16 _____/

Honorable Ronald M. Whyte

17 Defendant Timothy Ronald Obert and the government, through their respective counsel,
18 hereby stipulate that, subject to the Court's approval, the hearing in the above-captioned matter,
19 presently scheduled for Monday, October 24, 2011, at 9:00 a.m., be continued to Monday, November
20 21, 2011, at 9:00 a.m.

21 The hearing in this case was requested by Mr. Obert because he objects to certain additional
22 conditions of supervised release proposed by the Probation Office. The defense seeks to continue the
23 hearing because additional time has been needed for defense counsel and Mr. Obert to research their
24 objections and prepare effectively. The Probation Office has been contacted and has no objection to
25 the proposed new date.

26 STIP. TO CONTINUE HEARING
AND RELEASE PSR;
[] ORDER
No. CR 04-20107 RMW

1 The parties stipulate to the following revised briefing schedule: defense brief due October
2 11, 2011; government response due November 7, 2011; defense reply due November 14, 2011.

3 Additionally, the parties stipulate that the Court should order the Probation Office to release a
4 copy of the Presentence Report to the parties. Undersigned defense counsel does not have a copy of
5 the PSR because she did not represent Mr. Obert at his sentencing hearing. The defense has
6 requested a copy of the PSR from the Probation Office, and has been advised that the PSR may be
7 released to defense counsel following the issuance of an appropriate order.

8 Dated: 9/28/11

/s/
LARA S. VINNARD
Assistant Federal Public Defender

10 Dated: 9/28/11

/s/
CAROLYNE SANIN
Special Assistant United States Attorney

13 **[] ORDER**

14 The parties have jointly requested that the hearing presently set for Monday, October 24,
15 2011, be continued to Monday, November 21, 2011, because the defense requires additional time to
16 submit its brief objecting to proposed additional probation conditions.

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently
18 set for October 24, 2011, at 9:00 a.m., be continued to November 21, 2011, at 9:00 a.m. The
19 defense brief is due October 11, 2011; the government's response is due November 7, 2011; any
20 defense reply is due November 14, 2011.

21 IT IS FURTHER ORDERED that the Probation Office shall release copies of the Presentence
22 Report to counsel.

23 Dated: ~~FEB~~, 2011


RONALD M. WHYTE
United States District Judge

26 STIP. TO CONTINUE HEARING
AND RELEASE PSR;

[] ORDER

No. CR 04-20107 RMW